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UTAH-REGION 41

UTAH REGIONAL PLANNING COMMITTEE (URPC)

BY-LAWS

Version 1.2
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BY-LAWS

ARTICLE I NAME & PURPOSE

The name of this organization shall be the **UTAH REGIONAL PLANNING COMMITTEE (URPC)**. The purpose of this organization shall be the fostering of cooperation among all interested parties; the equitable planning, development, distribution and implementation of the regions plans with respect to the allocation and use of the 700 MHz Public Safety Frequency Band. This process is open to all state, county, city, tribal and other political subdivisions that are formed and operating in the state of Utah.

ARTICLE II MEMBERS

For purposes of this Article, the term “**member**,” unless otherwise specified, refers to both voting and non-voting members.

Qualification: The UPRC shall have two classes of members, “voting members” and “non-voting members”.

Voting Members: Voting members shall consist of one representative from any entity engaged in public safety operations and communications, and who are eligible to hold a license under Federal Communications Commission Rules part 47 CFR 90.523. The term entity as used herein means any Town, City, County, Indian Nation, the State and its political subdivisions within the boundaries of Region 41, in accordance with CFR 47 90.523 (a) or Non-governmental Organization (NGO) in accordance with CFR 47 90.523 (b). In voting on any issue, representatives must identify themselves and the eligible entity or entities they represent.

Eligible entities may submit requests for voting membership to the Secretary at any time (dchandler@utah.gov). All requests for voting membership, whether made during or outside of scheduled meetings of the URPC, must include written certification of eligibility. Each eligible entity may certify one representative. A representative may represent more than one eligible entity, but must have written documentation that he or she does represent multiple departments or divisions. Formal approval of an entity membership will be held at the next meeting of the Regional Planning Committee.

Non-Voting Members: Non-voting members are all other interested parties which are dedicated to furthering the goals of public safety communications. Entities not eligible for voting membership may submit requests for non-voting membership to the Secretary at any time. New non-voting members may be added only by action of a majority of the Executive Committee, either by Vote or by Writing.

Tenure: In general, each member shall hold membership from the date of acceptance until resignation or removal. New members may be added by application as needed.

Powers and Rights: In addition to such powers and rights as are vested in them by law, or these bylaws, the members shall have such other powers and rights as the membership may determine.

Suspension and Removal: The representative of a member entity may be suspended or removed, with cause, by simple majority vote of a quorum of members after reasonable notice and opportunity to be heard. Failure to attend at least one general and/or subcommittee meetings held in a calendar year shall be a specific cause for removal. The removal of a representative does not affect the entity's right to vote, but it must appoint a new representative before its vote will be counted.

Resignation: The representative of a member entity may resign by delivering written resignation to the Chairman, Vice-chairman, Treasurer or Secretary of the URPC or to a meeting of the members.

ARTICLE III OPERATING RULES OF THE URPC

3.1 Annual Meetings: The annual meeting of the members shall be held in conjunction with a regularly scheduled meeting of the Utah Chapter of APCO, Inc. As a minimum, a financial statement shall be read and sub-committee reports presented. If an annual meeting is not held, a special meeting of the members may be held in its place with the same force and effect as the annual meeting. Any such special meeting shall be called and notice shall be given as provided in Section 3.2 A

Special Meetings: Special meetings of the members may be held at any time and at any place within the Regional Committee area. Special meetings of the members may be called by the chairman or by the vice-chairman, or in case of death, absence, and incapacity, by any other officer or, upon written application of two or more members.

**Teleconferencing and videoconferencing are authorized when using a technology that allows all participants to hear each other at the same time and in the case of videoconferencing to see each other as well. The entity requesting such a meeting shall provide the needed facilities and costs of those facilities.*

Call and Notice:

Reasonable notice of the time and place of special meetings of the members shall be given to each member. Such notice need not specify the purposes of a meeting, unless otherwise required by law or these bylaws or unless there is to be considered at the meeting (i) amendments to these bylaws, (ii) an increase or decrease in the number of members, or (iii) removal or suspension of a member who is an officer.

Announcements of meetings, stating the time and place where the meeting is to be held may be published in newspapers and land mobile radio periodicals. In addition, a press release may be issued, urging parties interested in public safety communications to attend. Region 41 will notify the Federal Communications Commission, Chief of the Wireless Telecommunications Bureau, when a meeting time and place has been established for the Region 41- 700 MHz Regional Planning Committee.

Reasonable and sufficient notice. It shall be reasonable and sufficient notice to a member, if sent by mail at least five business days or by e-mail/facsimile at least three business days prior to the meeting. Notice shall be addressed to a member at his or her usual or last known business address, or, to give notice to such member in person or by telephone at least three days before the meeting. Members are required to keep the Secretary informed of current contact information including telephone, address and e-mail if available.

Quorum: At any meeting of the URPC, a simple majority (including a minimum of two officers) of the voting members shall constitute a quorum. Generally, a simple majority vote of a quorum shall be sufficient to decide questions put to the voting membership, except in cases of Action by Writing.

Action by Vote: Each voting member shall have one vote; non-voting members have no right to vote. At meetings of the URPC, a simple majority of the votes properly cast by a quorum of voting members shall decide any question, including election to any office.

Action by Writing: Any action required or permitted to be taken at any meeting of the members may be taken without a meeting if a simple majority of all members entitled to vote on the matter consent to the action in writing and the written consents are filed with the records of the meetings of the members. Such consents shall be treated for all purposes as a vote at a meeting.

Proxies: Voting members may vote either in person or by written proxy dated not more than one month before the named meeting. Proxies shall be filed with the secretary or other person responsible for recording the proceedings of the meeting.

Voting on Frequency Applications: At no time can a voting member vote on his/her application.

3.8 **Executive Committee:** The executive committee shall consist of the current Chairperson, Vice-Chairperson, Treasurer and Secretary. Subcommittee Chairpersons may be asked to attend such meetings as needed.

3.9 **Subcommittees:** Initially there shall be four (4) standing subcommittees of the URPC these include:

Implementation
Interoperability
Technology
Mobile Data

Subcommittees shall be added as needed to fulfill the requirements of the URPC as determined by the Executive Committee.

3.10 **Executive and Subcommittee Voting:** The Executive Committee and Subcommittees are authorized to utilize e-mail for purposes of voting on issues related to these committees. The Chairperson of the Executive Committee and each Subcommittee is responsible for forwarding all such voting results to the Secretary within three (3) business days of such vote. All results of such voting shall be recorded and made available to all members by the Secretary within ten (10) working days of such vote.

ARTICLE IV OFFICERS AND AGENTS

Number and Qualification: The officers of the Utah Regional Planning Committee shall consist of a Chairman, Vice-chairman, Treasurer, Secretary and such other officers, if any, as the voting members may determine. All officers must be voting members of the URPC.

Election: The officers shall be elected by the voting members at their first meeting and, thereafter, at the annual meeting of the members.

Tenure: The officers shall each hold office for a period of two years, or until he/she resigns, is removed or becomes disqualified.

Chairman and Vice Chairman: The Chairman shall be the chief executive officer of the Regional Committee and, subject to the control of the voting members, shall have general charge and supervision of the affairs of the Regional Committee. The Chairman shall preside at all meetings of the Regional Committee.

The Vice-chairman, if any, shall have such duties and powers, as the voting members shall determine. The Vice-chairman shall have and may exercise all the powers and duties of the chairman during the absence of the Chairman or in the event of his or her inability to act.

Treasurer: The Treasurer shall be the chief financial officer and the chief accounting officer of the Regional Committee. The Treasurer shall be in charge of its financial affairs, funds, and valuable papers and shall keep full and accurate records thereof.

Secretary: The Secretary shall record and maintain records of all proceedings of the members in a file or series of files. Such file or files shall be kept within the Region and shall be open at all reasonable times to the inspection of any member. Such file or files shall also contain records of all meetings and the original, or attested copies, of by-laws and names of all members and the address (including e-mail address, if available) of each. If the Secretary is absent from any meeting of members, a temporary Secretary chosen at the meeting shall exercise the duties of the Secretary at the meeting.

Suspension or Removal: An officer may be suspended with cause by vote of a majority of the voting members.

Resignation: An officer may resign by delivering his or her written resignation to the Chairman, Vice-chairman, Treasurer, or Secretary of the Regional Committee. Such resignation shall be effective upon receipt (unless specified to be effective at some other time), and acceptance thereof shall not be necessary to make it effective unless it so states.

Vacancies: If the office of any officer becomes vacant, the voting members may elect a successor. Each such successor shall hold office for the remainder of term or until his or her successor is elected and qualified.

ARTICLE V AMENDMENTS

The Region 41 Plan may be altered, amended or repealed in whole or in part by vote. The voting members may, by a simple majority vote of a quorum, alter, amend, or repeal any bylaws adopted by the Utah Regional Planning Committee members or otherwise adopt, alter, amend or repeal any provision which, by FCC regulation or these bylaws, requires action by the voting members.

Any Amendment to this Plan that affects adjacent Regions must be coordinated with the affected Regions before formal notification of Plan modification is made to the FCC. Any Plan modification that affects areas within 75 miles of an adjacent Region is considered to affect the adjacent Region and require concurrence.

The FCC shall suspend any Plan amendments that require FCC notification until formal notification of Plan modification acceptance.

Plan amendments that affect areas more than 75 miles from an adjacent Region are not considered as requiring adjacent Region concurrence.

ARTICLE VI DISSOLUTION

This Utah Regional Planning Committee may be dissolved by the consent of two-thirds of the voting members at a special meeting called for such purpose, at which time the FCC shall be notified.

ARTICLE VII RULES OF PROCEDURES

The Conduct of Regional Meetings including, without limitation, debate and voting, shall be governed by Robert's Rules of Order, newly revised tenth edition, Sarah Corbin Robert, Henry M. Robert III, and William J. Evans.